

PATENT

In light of the following remarks, the undersigned respectfully requests withdrawal of the objections of the pending claims.

Bergsman describes a system for sending recorded telephone greetings to a recipient. Exemplary type of greetings includes a birthday message, an anniversary message, a congratulations message, and a request that the system call a callee at a later time to specify a time when the system will call the recipient and deliver the recorded message. Col. 1, lines 10-11. Bergsman describes that after the caller hangs up, the caller's request is created and stored in a database. Col. 4, lines 52-54. Further, only when the requested date and time has arrived, will the recipient be called and the message delivered. Col. 4, line 65 - col. 5, line 6.

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Accordingly, nothing in Bergsman describes a situation where the caller calls, communicates or speaks with the recipient in real-time. Bergsman's messages are delivered off-line and not delivered in real-time. Instead, Bergsman specifically describes their system as for delivering "more professional sounding message(s)" (col. 2, lines 3-6) to recipients, than the caller could. III. Bergsman Distinguished

Claim 1 is not anticipated by Bergsman.

The method recited in claim 1, as amended, includes processing the telephone number to make the outbound call to the receiver in real-time; and thereafter restoring the state of the voice mail ~~server after the outbound call is terminated~~ Bergsman allows the caller to merely specify a time in the future when a message will be delivered to a recipient. Thus, the system does not make a call to the recipient in "real-time," as recited above. Bergsman never discloses deliver of messages in real-time, but only off-line, and only after the caller has hung up. Further, Bergsman never ~~discloses, although Bergsman talks to the receiver, the voice mail system, Bergsman does not disclose anything~~ about storing and restoring the state of a voice mail server. It would not have been obvious to restore the state of the voice mail server, as asserted by the Examiner, because Bergsman does not disclose making outbound calls, as recited above. In other words, ~~because Bergsman does not disclose making outbound calls in real-time, processing the telephone number to first store the state of the voice mail server offline; and thereafter restoring the state of the voice mail server after the outbound call is terminated.~~

Claims 8 and 14 are also not anticipated by Bergsman, for at least the same reasons. Bergsman does not make obvious claim 1 for at least these reasons.

Dependent claims 2-7, 9-13, and 15-20 are also not anticipated by Bergsman, for at least the same reasons as the respective dependent claims, and more particularly, for the specific limitations they recite.

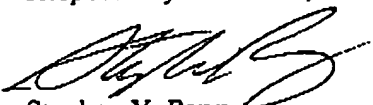
CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested. If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

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Respectfully submitted,



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